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ASM INTERNATIONAL N.V.
and ASM AMERICA, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 5/4/06

SHERMAN & ASSOCIATES, INC., a
California Corporation,

Plaintiff

v.

ASM INTERNATIONAL N.V., a Netherlands
Corporation, and ASM AMERICA, INC., a
Delaware Corporation,

Defendants.

Case No. C-05-05008 RMW

**JOINT STIPULATION AND REQUEST
TO CONTINUE CASE MANAGEMENT
CONFERENCE AND RELATED DATES**

ORDER

Date: May 5, 2006
Time: 10:30 a.m.
Before: Hon. Ronald M. Whyte

The parties in this case have reached an agreement fully resolving this dispute and are in the process of finalizing a Settlement Agreement that will result in a dismissal with prejudice of

all claims against all parties in this action. The parties expect to complete and submit a Proposed Order of Dismissal With Prejudice terminating this case within the next thirty (30) days. Accordingly, Plaintiff SHERMAN & ASSOCIATES, INC. and Defendant ASM AMERICA, INC. respectfully jointly request the Court to vacate the current Case Management Conference in this case, set for May 5, 2006 at 10:30 a.m., and continue the Case Management Conference and all related dates, including the selection of an ADR procedure. If the case is not finally settled within the next thirty days, the parties will file a Proposed Case Management Schedule within ten days thereafter.

Respectfully submitted,

DATED: April 24, 2006

MACPHERSON KWOK CHEN & HEID LLP

By _____ /s/
Clark S. Stone
Attorneys for Plaintiff
SHERMAN & ASSOCIATES, INC.

DATED: April 24, 2006

HOWREY LLP

By _____ /s/
Robert F. Kramer
Attorneys for Defendant
ASM AMERICA, INC.

ORDER

PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO ORDERED
The Case Management Conference is continued to June 9, 2006 @ 10:30 a.m.

DATED: 5/4/06

By /s/ Ronald M. Whyte
Hon. Ronald M. Whyte
JUDGE OF THE DISTRICT COURT

(General Order 45)

Pursuant to N.D. Cal. General Order 45, I hereby attest that concurrence in the filing of the document has been obtained from each of the other signatories and I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document:

Dated: April 24, 2006

MACPHERSON KWOK CHEN & HEID LLP

By _____ /s/
Clark S. Stone